United States Bankruptcy Court Southern District of Texas

ENTERED

July 05, 2023 Nathan Ochsner, Clerk

IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re:	§ Chapter 11	
	§ ·	
ALEXANDER E. JONES	§ Case No. 22-	33553
	§	
Debtor.	§	
	§	

ORDER APPROVING EXPEDITED APPLICATION OF DEBTOR FOR AN ORDER AUTHORIZING EMPLOYMENT OF PATTIS & SMITH LLC, AS SPECIAL COUNSEL UNDER 11 U.S.C. 327(e) AND 328(a)

Upon the application (the "Application")¹ filed by Debtor to retain and employ Pattis & Smith, LLC ("Pattis & Smith") pursuant to Bankruptcy Code §§ 327(e), 328(a) and 330 and Bankruptcy Local Rule 2014-1, as more fully set forth in the Application and all exhibits and attachments to the Application; and upon the Court's finding that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (iii) venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; (iv) the Application and the Pattis Declaration are in full compliance with all applicable provisions of the Bankruptcy Code, Bankruptcy Rules, Bankruptcy Local Rules, and Orders and procedures of this Court; (v) Pattis & Smith does not represent an interest adverse to Debtor's estate with respect to the matters upon which it is to be engaged; (vi) Pattis & Smith is qualified to represent Debtor's estate under § 327(e) and 328(a) of the Bankruptcy Code; (vii) the terms of Pattis & Smith's employment have been disclosed and are reasonable under the circumstances; (viii) proper and adequate notice of the Application, the deadline to file any objections to the Application, and the hearing thereon was given, and no other or further notice is necessary; (ix) the legal and factual

¹ Capitalized terms not defined herein have the meaning set forth in the Application.

bases set forth in the Application establish just cause for the relief granted herein; (x) the relief sought in the Application is in the best interest of Debtor's estate; (xi) any timely objection to the Application having been withdrawn or overruled for the reasons stated on the record at the hearing on the Application; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

- 1. In accordance with Bankruptcy Code §§ 327(e), 328(a), and 330 and Bankruptcy Local Rule 2014-1, Debtor is authorized to employ and retain Pattis & Smith as special counsel, under the terms and conditions set forth in the Application and the Engagement Letter attached to the Application as Exhibit A.
- 2. Pattis & Smith is authorized to perform Professional Services for Debtor that are necessary or appropriate in connection with serving as special counsel in connection with the Connecticut Sandy Hook Lawsuits.
- 3. Pattis & Smith shall be compensated for its fixed fees and expenses in accordance with the terms and conditions of the Engagement Agreement, as set forth in the Application and subject to the procedures Bankruptcy Code §§ 330 and 331 of the Bankruptcy Code, and in accordance with applicable Federal Rules of Bankruptcy Procedure, Local Rules, and any orders of this Court.
- 4. Notwithstanding any contrary payment provisions in writing between the Debtor and Pattis & Smith, the Debtor shall be liable to Pattis & Smith for only \$125,000 of the total flat fee and \$10,000 of the total flat expenses upon entry of this Order.
 - 5. This order shall be immediately effective and enforceable upon entry.
- 6. This order, and all acts taken in furtherance or reliance thereon, shall be effective notwithstanding any objection until further order of this Court.

- 7. Notwithstanding anything to the contrary in the Application, the Engagement Agreement, or the Declaration attached to the Application, Pattis & Smith shall not be entitled to reimbursement of expenses or fees from Debtor in connection with any objection to its fees, without further order of the Court.
- 8. Pattis & Smith shall not charge a markup to Debtor with respect to any fees billed by contract attorneys who are hired by Pattis & Smith to provide services to Debtor and shall ensure that any such contract attorneys are subject to conflicts checks and disclosures in accordance with the requirements of the Bankruptcy Code and Bankruptcy Rules.
- 9. Pattis & Smith shall use its reasonable efforts to avoid any duplication of services provided by any of Debtor's other retained professionals.
- 10. Pattis & Smith will review its files periodically during the pendency of this chapter 11 case to ensure that no conflicts or other disqualifying circumstances exist or arise. If any new relevant facts or relationships are discovered or arise, Pattis & Smith will use reasonable efforts to identify such further developments and will promptly file a supplemental declaration as required by FED. R. BANKR. P. 2014(a).
- 11. To the extent that any of the Application, the Pattis Declaration, or the Engagement Agreement are inconsistent with this Order, the terms of the Order shall govern.
- 12. Debtor and Pattis & Smith are authorized to take all actions necessary to effectuate the relief granted pursuant to this order in accordance with the Application.
- 13. Notice of the Application provided by Debtor is deemed to be good and sufficient notice of the Application, and the requirements of the Local Rules are satisfied by the contents of the Application.

14. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this order.

Signed: July 05, 2023

United States Bankruptcy Judge

Case 22-33553 Document 367 Filed in TXSB on 07/07/23 Page 5 of 10

United States Bankruptcy Court Southern District of Texas

In re: Case No. 22-33553-cml

Alexander E. Jones Chapter 11

Official Committee Of Unsecured Creditor

Debtors

CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser Page 1 of 6 Date Rcvd: Jul 05, 2023 Form ID: pdf002 Total Noticed: 20

The following symbols are used throughout this certificate:

Definition Symbol

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable,

the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 07, 2023:

aty + Anna Kordas, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-1000, UNITED STATES 10036-6730 aty + David Franklin Hill, IV, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730 aty + Richard A. Cochrane, Caldwell Cassady Curry PC, 2121 N. Pearl St., Ste. 1200, Dallas, TX 75201-2494 aty + Theodore James Salwen, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730 cr + Elevated Solutions Group, LLC, c/o Walker & Patterson, P.C., P.O. Box 61301, Houston, TX 77208-1301 cr + Francine Wheeler, Cain & Skarnulis PLLC, Ryan E. Chapple, 303 Colorado Street, Suite 2850 Austin, TX 78701-0137 cr + Free Speech Systems, LLC, Free Speech Systems, LLC, c/o Patrick Magill, 3019 Alvin Devane Blvd., Ste 300 Austin,, TX 78741-7417 cr #L Leonard Pozner, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #R Nacel Fontaine, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #R Neil Heslin, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr #R Reeves Law, PLC, 704 Rio McDowell Hetherington LLP, Attention: Avi Moshenbe	Recip ID db		Recipient Name and Address Alexander E. Jones, c/o 2525 McKinnon Street, Suite 425, Dallas, TX 75201
aty + Richard A. Cochrane, Caldwell Cassady Curry PC, 2121 N. Pearl St., Ste. 1200, Dallas, TX 75201-2494 aty + Theodore James Salwen, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730 cr + Elevated Solutions Group, LLC, c/o Walker & Patterson, P.C., P.O. Box 61301, Houston, TX 77208-1301 cr + Francine Wheeler, Cain & Skarnulis PLLC, Ryan E. Chapple, 303 Colorado Street, Suite 2850 Austin, TX 78701-0137 cr + Free Speech Systems, LLC, Free Speech Systems, LLC, c/o Patrick Magill, 3019 Alvin Devane Blvd., Ste 300 Austin,, TX 78741-7417 cr #+ Leonard Pozner, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #+ Marcel Fontaine, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #+ Neil Heslin, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #+ Official Committee Of Unsecured Creditors, c/o Marty L. Brimmage, Jr., Akin Gump Strauss Hauer & Feld LLP, 2300 N. Field Street, Suite 1800, Dallas, TX 75201-4675 cr + Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720 cr + Richard M. Coan, c/o Cain & Skarnulis PLLC, 303 Colorado Street, Suite 2850, Austin, TX 78701-0137 cr #+ Scarlett Lewis, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774 cr #+ Security Bank of Texas, P.O. Box 90, Crawford, Tx 76638-0090 cr #+ Veronique De La Rosa, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX	aty	+	Anna Kordas, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-1000, UNITED STATES 10036-6730
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	cr	+	Security Bank of Texas, P.O. Box 90, Crawford, Tx 76638-0090
	cr	#+	

TOTAL: 17

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID cr	Notice Type: Email Address Email/Text: creditcardbkcorrespondence@bofa.com	Date/Time	Recipient Name and Address
		Jul 06 2023 00:00:00	Bank of America N.A., P.O. BOX 31785, Tampa, FL 33631-3785
cr	+ Email/Text: lemaster@slollp.com	Jul 06 2023 00:00:00	PQPR Holdings Limited, LLC, c/o Streusand Landon Ozburn & Lemmon LLP, attn: Stephen Lemmon, 1801 S. Mopac Expressway, Suite 320, Austin, TX 78746-9817
cr	+ Email/Text: BKECF@traviscountytx.gov	Jul 06 2023 00:01:00	Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID aty	Bypass Reason	Name and Address Akin Gump Strauss Hauer & Feld LLP
cr		Carlee Soto Parisi
cr		Carlos M Soto

Case 22-33553 Document 367 Filed in TXSB on 07/07/23 Page 6 of 10

District/off: 0541-4 User: ADIuser Page 2 of 6
Date Rcvd: Jul 05, 2023 Form ID: pdf002 Total Noticed: 20

intp	David Ross Jones
cr	David Wheeler
cr	Donna Soto
cr	Ian Hockley
cr	Jacqueline Barden
cr	Jennifer Hensel
cr	Jillian Soto-Marino
cr	Mark Barden
cr	Nicole Hockley
cr	Public Storage
cr	Robert Parker
cr	William Aldenberg
cr	William Sherlach

TOTAL: 16 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 07, 2023 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 5, 2023 at the address(es) listed below:

Name	Email Address
Avi Moshenberg	on behalf of Creditor Leonard Pozner avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Marcel Fontaine avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Veronique De La Rosa avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Veronique De La Rosa avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Neil Heslin avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Scarlett Lewis avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Estate of Marcel Fontaine avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Neil Heslin avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Scarlett Lewis avi.moshenberg@mhllp.com patricia.flores@mhllp.com
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Case 22-33553 Document 367 Filed in TXSB on 07/07/23 Page 7 of 10

District/off: 0541-4 User: ADIuser Page 3 of 6
Date Rcvd: Jul 05, 2023 Form ID: pdf002 Total Noticed: 20

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Case 22-33553 Document 367 Filed in TXSB on 07/07/23 Page 8 of 10

District/off: 0541-4 User: ADIuser Page 4 of 6
Date Rcvd: Jul 05, 2023 Form ID: pdf002 Total Noticed: 20

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Case 22-33553 Document 367 Filed in TXSB on 07/07/23 Page 9 of 10

District/off: 0541-4 User: ADIuser Page 5 of 6
Date Rcvd: Jul 05, 2023 Form ID: pdf002 Total Noticed: 20

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Case 22-33553 Document 367 Filed in TXSB on 07/07/23 Page 10 of 10

District/off: 0541-4 User: ADIuser Page 6 of 6
Date Rcvd: Jul 05, 2023 Form ID: pdf002 Total Noticed: 20

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